

“(a) PROHIBITION.—It shall be unlawful for—

“(1) a foreign national, directly or indirectly, to make—

“(A) a donation of money or other thing of value, or to promise expressly or impliedly to make a donation, in connection with a Federal, State, or local election to a political committee or a candidate for Federal office, or

“(B) a contribution or donation to a committee of a political party; or

“(2) a person to solicit, accept, or receive a contribution or donation described in paragraph (1)(A) from a foreign national.”.

SEC. 507. PROHIBITION OF CONTRIBUTIONS BY MINORS.

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) (as amended by sections 101 and 401) is amended by adding at the end the following:

“SEC. 325. PROHIBITION OF CONTRIBUTIONS BY MINORS.

An individual who is 17 years old or younger shall not make a contribution to a candidate or a contribution or donation to a committee of a political party.”.

SEC. 508. EXPEDITED PROCEDURES.

(a) IN GENERAL.—Section 309(a) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)) (as amended by section 505(c)) is amended by adding at the end the following:

“(14)(A) If the complaint in a proceeding was filed within 60 days preceding the date of a general election, the Commission may take action described in this subparagraph.

“(B) If the Commission determines, on the basis of facts alleged in the complaint and other facts available to the Commission, that there is clear and convincing evidence that a violation of this Act has occurred, is occurring, or is about to occur, the Commission may order expedited proceedings, shortening the time periods for proceedings under paragraphs (1), (2), (3), and (4) as necessary to allow the matter to be resolved in sufficient time before the election to avoid harm or prejudice to the interests of the parties.

“(C) If the Commission determines, on the basis of facts alleged in the complaint and other facts available to the Commission, that the complaint is clearly without merit, the Commission may—

“(i) order expedited proceedings, shortening the time periods for proceedings under paragraphs (1), (2), (3), and (4) as necessary to allow the matter to be resolved in sufficient time before the election to avoid harm or prejudice to the interests of the parties; or

“(ii) if the Commission determines that there is insufficient time to conduct proceedings before the election, summarily dismiss the complaint.”.

(b) REFERRAL TO ATTORNEY GENERAL.—Section 309(a)(5) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)(5)) is amended by striking subparagraph (C) and inserting the following:

“(C) The Commission may at any time, by an affirmative vote of at least 4 of its members, refer a possible violation of this Act or chapter 95 or 96 of the Internal Revenue Code of 1986, to the Attorney General of the United States, without regard to any limitation set forth in this section.”.

SEC. 509. INITIATION OF ENFORCEMENT PROCEEDING.

Section 309(a)(2) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437g(a)(2)) is amended by striking “reason to believe that” and inserting “reason to investigate whether”.

TITLE VI—SEVERABILITY; CONSTITUTIONALITY; EFFECTIVE DATE; REGULATIONS

SEC. 601. SEVERABILITY.

If any provision of this Act or amendment made by this Act, or the application of a pro-

vision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this Act and amendments made by this Act, and the application of the provisions and amendment to any person or circumstance, shall not be affected by the holding.

SEC. 602. REVIEW OF CONSTITUTIONAL ISSUES.

An appeal may be taken directly to the Supreme Court of the United States from any final judgment, decree, or order issued by any court ruling on the constitutionality of any provision of this Act or amendment made by this Act.

SEC. 603. EFFECTIVE DATE.

Except as otherwise provided in this Act, this Act and the amendments made by this Act take effect January 1, 1999.

SEC. 604. REGULATIONS.

The Federal Election Commission shall prescribe any regulations required to carry out this Act and the amendments made by this Act not later than 180 days after the date of the enactment of this Act.

It was decided in the { Yeas 391
affirmative } Nays 4

170.29 [Roll No. 301]

AYES—391

Abercrombie	Collins	Gibbons
Aderholt	Combest	Gilchrest
Allen	Condit	Gillmor
Andrews	Conyers	Gilman
Archer	Cook	Goode
Army	Cooksey	Goodlatte
Bachus	Costello	Goodling
Baessler	Cox	Gordon
Baldacci	Coyne	Goss
Ballenger	Cramer	Graham
Barcia	Crane	Granger
Barr	Crapo	Green
Barrett (NE)	Cubin	Greenwood
Barrett (WI)	Cummings	Gutierrez
Bartlett	Cunningham	Gutknecht
Barton	Davis (FL)	Hall (OH)
Bass	Davis (IL)	Hall (TX)
Bateman	Davis (VA)	Hamilton
Becerra	Deal	Hansen
Bentsen	DeFazio	Harman
Bereuter	DeGette	Hastert
Berry	Delahunt	Hastings (WA)
Bilbray	DeLauro	Hayworth
Bishop	DeLay	Hefley
Biley	Deutsch	Henger
Blumenauer	Diaz-Balart	Hill
Blunt	Dickey	Hilleary
Boehlert	Dicks	Hinchey
Boehner	Dingell	Hinojosa
Bonilla	Doggett	Hobson
Bonior	Dooley	Hoekstra
Bono	Doolittle	Holden
Borski	Doyle	Hooley
Boswell	Dreier	Horn
Boucher	Duncan	Hostettler
Boyd	Dunn	Houghton
Brady (PA)	Edwards	Hoyer
Brady (TX)	Ehlers	Hulshof
Brown (CA)	Emerson	Hunter
Brown (FL)	Engel	Hutchinson
Brown (OH)	English	Hyde
Bryant	Ensign	Inglis
Bunning	Eshoo	Istook
Burr	Etheridge	Jackson (IL)
Burton	Evans	Jackson-Lee
Buyer	Everett	(TX)
Callahan	Ewing	Jenkins
Calvert	Farr	Johnson (CT)
Camp	Fattah	Johnson (WI)
Campbell	Fawell	Jones
Canady	Fazio	Kaptur
Cannon	Filner	Kasich
Capps	Foley	Kelly
Cardin	Forbes	Kennedy (MA)
Carson	Fossella	Kennedy (RI)
Castle	Fowler	Kennelly
Chabot	Fox	Kildee
Chambliss	Frank (MA)	Kilpatrick
Chenoweth	Franks (NJ)	Kim
Christensen	Frelinghuysen	Kind (WI)
Clay	Furse	King (NY)
Clayton	Galleghy	Kingston
Clement	Ganske	Klink
Clyburn	Gejdenson	Klug
Coburn	Gekas	Knollenberg

Kolbe	Olver	Shimkus
Kucinich	Owens	Shuster
LaFalce	Oxley	Sisisky
LaHood	Packard	Skaggs
Lampson	Pallone	Skeen
Lantos	Pappas	Skelton
Largent	Parker	Slaughter
Latham	Pascrell	Smith (MI)
LaTourette	Pastor	Smith (NJ)
Lazio	Paul	Smith (OR)
Leach	Paxon	Smith (TX)
Lee	Payne	Smith, Adam
Levin	Pease	Smith, Linda
Lewis (CA)	Pelosi	Snowbarger
Lewis (KY)	Peterson (MN)	Snyder
Linder	Peterson (PA)	Solomon
Livingston	Petri	Souder
LoBiondo	Pickett	Spence
Lofgren	Pitts	Spratt
Lowey	Pombo	Stabenow
Lucas	Pomeroy	Stark
Luther	Porter	Stearns
Maloney (CT)	Portman	Stenholm
Manton	Price (NC)	Strickland
Manzullo	Pryce (OH)	Stump
Markey	Quinn	Stupak
Mascara	Radanovich	Sununu
Matsui	Rahall	Talent
McCarthy (MO)	Ramstad	Tanner
McCarthy (NY)	Rangel	Tauscher
McCollum	Redmond	Tauzin
McCrery	Regula	Taylor (MS)
McDermott	Reyes	Taylor (NC)
McGovern	Riley	Thomas
McHale	Rivers	Thornberry
McHugh	Rodriguez	Thune
McInnis	Roemer	Thurman
McIntosh	Rogan	Tiahrt
McIntyre	Rogers	Tierney
McKeon	Rohrabacher	Turner
McKinney	Ros-Lehtinen	Upton
McNulty	Rothman	Velazquez
Meehan	Roukema	Vento
Meek (FL)	Royce	Visclosky
Meeks (NY)	Rush	Walsh
Menendez	Ryun	Wamp
Metcalfe	Sabo	Waters
Mica	Salmon	Watkins
Miller (CA)	Sanchez	Watt (NC)
Miller (FL)	Sanders	Watts (OK)
Minge	Sandlin	Waxman
Mink	Sanford	Weldon (FL)
Mollohan	Sawyer	Weldon (PA)
Moran (KS)	Saxton	Weller
Moran (VA)	Scarborough	Weygand
Morella	Schaefer, Dan	White
Myrick	Schaffer, Bob	Whitfield
Nadler	Schumer	Wicker
Neal	Scott	Wilson
Nethercutt	Sensenbrenner	Wise
Neumann	Serrano	Wolf
Ney	Sessions	Woolsey
Northup	Shadegg	Wynn
Nussle	Shaw	Young (AK)
Oberstar	Shays	Young (FL)
Obey	Sherman	

NOES—4

Hastings (FL)	Murtha
Kanjorski	Wexler

NOT VOTING—39

Ackerman	Hilliard	Norwood
Baker	Jefferson	Ortiz
Berman	John	Pickering
Bilirakis	Johnson, E. B.	Poshard
Blagojevich	Johnson, Sam	Riggs
Coble	Klecza	Roybal-Allard
Danner	Lewis (GA)	Stokes
Dixon	Lipinski	Thompson
Ehrlich	Maloney (NY)	Torres
Ford	Martinez	Towns
Frost	McDade	Trafficant
Gephardt	Millender-	Yates
Gonzalez	McDonald	
Hefner	Moakley	

So the amendment to the amendment in the nature of a substitute was agreed to.

170.30 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. STEARNS to the foregoing amendment in the nature of a substitute submitted by Mr. SHAYS:

Amend section 506 to read as follows (and conform the table of contents accordingly):

SEC. 506. BAN ON CAMPAIGN CONTRIBUTIONS BY NONCITIZENS.

Section 319 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441e) is amended to read as follows:

"CONTRIBUTIONS AND DONATIONS BY NONCITIZENS

"SEC. 319. (a) PROHIBITION.—It shall be unlawful for—

"(1) a noncitizen, directly or indirectly, to make—

"(A) a donation of money or other thing of value, or to promise expressly or impliedly to make a donation, in connection with a Federal, State, or local election to a political committee or a candidate for Federal office, or

"(B) a contribution or donation to a committee of a political party; or

"(2) a person to solicit, accept, or receive a contribution or donation described in paragraph (1) from a noncitizen.

"(b) TREATMENT OF NATIONALS OF THE UNITED STATES.—For purposes of subsection (a), a 'noncitizen' of the United States does not include a national of the United States (as defined in section 101(a)(22) of the Immigration and Nationality Act)."

It was decided in the { Yeas 267
affirmative { Nays 131

**¶70.31 [Roll No. 302]
AYES—267**

Aderholt	Dickey	Inglis
Archer	Dooley	Istook
Armey	Doyle	Jenkins
Bachus	Dreier	Johnson (WI)
Baesler	Duncan	Johnson, Sam
Baldacci	Dunn	Jones
Ballenger	Ehlers	Kaptur
Barcia	Emerson	Kasich
Barr	English	Kelly
Barrett (NE)	Etheridge	Kennedy (MA)
Bartlett	Evans	Kennelly
Barton	Everett	Kildee
Bass	Ewing	Kim
Bateman	Fawell	Kingston
Bereuter	Foley	Klecza
Berry	Forbes	Klink
Bliley	Fossella	Klug
Blunt	Fowler	Knollenberg
Boehner	Fox	Kolbe
Bonilla	Franks (NJ)	Kucinich
Bono	Frelinghuysen	LaHood
Boswell	Gallegly	Lantos
Boucher	Ganske	Largent
Boyd	Gejdenson	Latham
Brady (TX)	Gekas	LaTourette
Brown (OH)	Gibbons	Lazio
Bryant	Gilchrest	Leach
Bunning	Gillmor	Levin
Burr	Gilman	Lewis (KY)
Burton	Goode	Linder
Buyer	Goodlatte	Livingston
Callahan	Goodling	LoBiondo
Calvert	Gordon	Lucas
Camp	Goss	Luther
Canady	Graham	Maloney (CT)
Cannon	Granger	Manzullo
Capps	Greenwood	Markey
Castle	Gutknecht	Mascara
Chabot	Hamilton	McCollum
Chambliss	Hansen	McCrery
Christensen	Harman	McHugh
Clement	Hastert	McInnis
Coburn	Hastings (WA)	McIntosh
Collins	Hayworth	McIntyre
Combest	Hefley	McKeon
Cook	Herger	Metcalf
Cooksey	Hill	Mica
Costello	Hilleary	Miller (FL)
Cox	Hinchey	Moran (KS)
Coyne	Hobson	Myrick
Cramer	Hoekstra	Nethercutt
Crane	Holden	Neumann
Cubin	Hooley	Ney
Cunningham	Horn	Northup
Davis (VA)	Hostettler	Nussle
Deal	Hulshof	Obey
DeFazio	Hunter	Oxley
DeLauro	Hutchinson	Packard
Deutsch	Hyde	Pappas

Parker	Sanford	Strickland
Paxon	Sawyer	Stump
Pease	Scarborough	Stupak
Peterson (MN)	Schaefer, Dan	Sununu
Peterson (PA)	Schaffer, Bob	Tanner
Petri	Schumer	Tauscher
Pickett	Sensenbrenner	Tauzin
Pitts	Sessions	Taylor (MS)
Pomeroy	Shadegg	Taylor (NC)
Portman	Shaw	Thomas
Price (NC)	Sherman	Thune
Pryce (OH)	Shinkus	Thurman
Quinn	Shuster	Tiahrt
Radanovich	Sisisky	Turner
Rahall	Skeen	Upton
Ramstad	Skelton	Walsh
Redmond	Slaughter	Wamp
Regula	Smith (NJ)	Watkins
Riley	Smith (OR)	Watts (OK)
Roemer	Smith (TX)	Weldon (FL)
Rogan	Smith, Adam	Weldon (PA)
Rogers	Smith, Linda	Weller
Rohrabacher	Snowbarger	White
Rothman	Snyder	Whitfield
Roukema	Solomon	Wicker
Royce	Souder	Wilson
Rush	Spence	Wise
Ryun	Spratt	Wolf
Sanders	Stabenow	Young (AK)
Sandlin	Stearns	Young (FL)

NOES—131

Abercrombie	Filner	Moran (VA)
Allen	Frank (MA)	Morella
Andrews	Furse	Murtha
Barrett (WI)	Green	Nadler
Becerra	Gutierrez	Neal
Bentsen	Hall (OH)	Oberstar
Berman	Hall (TX)	Olver
Bilbray	Hastings (FL)	Owens
Bishop	Hinojosa	Pallone
Blumenauer	Houghton	Pascrell
Boehlert	Hoyer	Pastor
Bonior	Jackson (IL)	Paul
Borski	Jackson-Lee	Payne
Brady (PA)	(TX)	Pelosi
Brown (CA)	Johnson (CT)	Pombo
Brown (FL)	Johnson, E. B.	Porter
Campbell	Kanjorski	Rangel
Cardin	Kennedy (RI)	Reyes
Carson	Kilpatrick	Rivers
Chenoweth	Kind (WI)	Rodriguez
Clay	King (NY)	Ros-Lehtinen
Clayton	LaFalce	Sabo
Clyburn	Lampson	Salmon
Condit	Lee	Sanchez
Conyers	Lewis (CA)	Scott
Crapo	Lofgren	Serrano
Cummings	Lowe	Shays
Davis (FL)	Manton	Skaggs
Davis (IL)	Matsui	Smith (MI)
DeGette	McCarthy (MO)	Stark
Delahunt	McCarthy (NY)	Stenholm
DeLay	McDermott	Talent
Diaz-Balart	McGovern	Thornberry
Dicks	McHale	Tierney
Dingell	McKinney	Velazquez
Doggett	McNulty	Vento
Doolittle	Meehan	Visclosky
Edwards	Meek (FL)	Waters
Engel	Meeks (NY)	Watt (NC)
Ensign	Menendez	Waxman
Eshoo	Miller (CA)	Wexler
Farr	Minge	Weygand
Fattah	Mink	Woolsey
Fazio	Mollohan	Wynn

NOT VOTING—36

Ackerman	Hilliard	Pickering
Baker	Jefferson	Poshard
Bilirakis	John	Riggs
Blagojevich	Lewis (GA)	Roybal-Allard
Coble	Lipinski	Saxton
Danner	Maloney (NY)	Stokes
Dixon	Martinez	Thompson
Ehrlich	McDade	Torres
Ford	Millender-	Towns
Frost	McDonald	Trafigant
Gephardt	Moakley	Yates
Gonzalez	Norwood	
Hefner	Ortiz	

So the amendment to the amendment in the nature of a substitute was agreed to.

¶70.32 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the

Whole on the following amendment, as modified, submitted by Mr. PICKERING to the foregoing amendment in the nature of a substitute submitted by Mr. SHAYS:

In section 319(b) of the Federal Election Campaign Act of 1971, as proposed to be inserted by the amendment—

(1) strike "was aware of a high probability" and insert "should have known"; and

(2) strike the period at the end and insert the following: " , except that the trier of fact may not find that the defendant should have known that the contribution originated from a foreign national solely because of the name of the contributor. "

It was decided in the { Yeas 344
affirmative { Nays 56

**¶70.33 [Roll No. 303]
AYES—344**

Abercrombie	Cunningham	Holden
Aderholt	Davis (FL)	Hooley
Allen	Davis (IL)	Horn
Andrews	Deal	Hostettler
Archer	DeFazio	Houghton
Armey	DeGette	Hoyer
Bachus	Delahunt	Hulshof
Baesler	DeLauro	Hunter
Baldacci	DeLay	Hutchinson
Ballenger	Deutsch	Hyde
Barcia	Dickey	Inglis
Barr	Dicks	Istook
Barrett (NE)	Dingell	Jenkins
Barrett (WI)	Doggett	Johnson (CT)
Bartlett	Dooley	Johnson (WI)
Barton	Doyle	Johnson, Sam
Bass	Dreier	Jones
Bateman	Duncan	Kaptur
Bentsen	Dunn	Kasich
Bereuter	Edwards	Kelly
Berman	Ehlers	Kennedy (MA)
Berry	Emerson	Kennelly
Bilbray	English	Kildee
Bishop	Eshoo	Kim
Bliley	Etheridge	Kind (WI)
Blumenauer	Evans	Kingston
Boehlert	Everett	Klecza
Boehner	Ewing	Klink
Bonilla	Fattah	Klug
Bonior	Fawell	Knollenberg
Bono	Filner	Kolbe
Borski	Foley	LaFalce
Boswell	Forbes	LaHood
Boucher	Fossella	Lampson
Boyd	Fowler	Lantos
Brady (PA)	Fox	Largent
Brady (TX)	Franks (NJ)	Leach
Brown (CA)	Frelinghuysen	Levin
Brown (OH)	Furse	Lewis (CA)
Bryant	Gallegly	Lewis (KY)
Bunning	Ganske	Linder
Burr	Gejdenson	Livingston
Burton	Gekas	LoBiondo
Callahan	Gibbons	Lowe
Calvert	Gilchrest	Lucas
Camp	Gillmor	Luther
Canady	Gilman	Maloney (CT)
Cannon	Goode	Manton
Capps	Goodlatte	Manzullo
Cardin	Goodling	Markey
Castle	Gordon	Mascara
Chabot	Goss	Matsui
Chambliss	Graham	McCarthy (MO)
Chenoweth	Granger	McCarthy (NY)
Christensen	Green	McCollum
Clay	Greenwood	McCrery
Clayton	Gutknecht	McGovern
Clement	Hall (OH)	McHale
Coburn	Hall (TX)	McHugh
Collins	Hamilton	McInnis
Combest	Hansen	McIntosh
Cook	Harman	McIntyre
Cooksey	Hastert	McKeon
Costello	Hastings (WA)	McKinney
Cox	Hayworth	McNulty
Coyne	Hefley	Meehan
Cramer	Herger	Menendez
Crane	Hill	Metcalf
Cubin	Hilleary	Mica
Cummings	Hinchey	Miller (FL)
	Hinojosa	Minge
	Hobson	Moran (KS)
	Hoekstra	Morella